

MINUTES
BOARD OF EXAMINERS
OF CONSTABLES
ANNUAL MEETING
THURSDAY
DECEMBER 14, 2017
10:00 A.M.
BLUE HEN CORPORATE CENTER
655 SOUTH BAY ROAD
SUITE 1B, DGE CONFERENCE ROOM
DOVER, DE

I. Call to Order

Lt. Colonel Hudson called the meeting to order at 1008 hours. The meeting was recorded and the Professional Licensing Section will maintain the records.

Introductions were made around the table of Board members and staff and the room of the guests.

The following members of the Board of Examiners were in attendance:

Lt. Colonel Monroe B. Hudson, Jr.
Ralph K. Durstein, III, Esquire
Capt. Diane Smith
Chief William E. Bryson
Mr. John F. Tharan

The following members of the Board of Examiners were absent:

All members were present

The following staff members were in attendance:

Rae Mims, Esquire – Deputy Attorney General
Capt. S. Benjamin Parsons – State Bureau of Identification
Lt. Kerry B. Reinbold – Professional Licensing
Sgt. Brian L. Pixley – Professional Licensing
Ms. Peggy L. Anderson – Professional Licensing
Ms. Wendy S. Meyers – Professional Licensing

The following staff members were absent:

Mr. Michael Terranova – DTCC Representative

The following guests were in attendance:

Mr. Tim Winstead – DTCC
Mr. Frank A. Molino – Beebe
Mr. Rob Workman – DE Metro Transit
Mr. Barry T. Lee – DE Metro Transit
Mr. Alan Ellingsworth – AI
Mr. Dan Shelton – Capital
Mr. Jason Pries – U of D
Mr. Jeffrey Hale – Colonial

II. Review and Acceptance of Minutes
A. October 31, 2017

Mr. Durstein, with a second by Mr. Tharan, made a motion to approve the minutes from 10/31/17 as presented. The motion was carried.

III. Commission Renewals

Ms. Anderson presented the following renewal commissions for approval. They have all met the requirements or provided the proper documents to the Professional Licensing Section.

- A. A.I. DuPont Hospital for Children
1. Amy E. John
 2. William J. Barrett
 3. Alan D. Ellingsworth
 4. Robert L. Gallo
 5. Philip T Holmes
 6. Jeffrey Sewell
 7. John J. Sobolesky
 8. Kenneth J. Suchocki, Sr.
 9. Brian L. Tibbits

Chief Bryson, with a second by Mr. Tharan, made a motion to approve A.1.-9. for commission renewals as presented. The motion was carried.

- B. Bayhealth
1. Ernest C. Clinkscales
 2. Isaac W. Henry, Jr.
 3. Cyrus G. Kahn
 4. Sean M. McHale
 5. Francis J. Taormina

Lt. Col. Hudson, with a second by Chief Bryson, made a motion to approve B.1.-5. for commission renewals as presented. The motion was carried.

- C. Christiana Care Health System
1. Arthur K. Angelo
 2. Jeffrey D. Bannon
 3. Mark K. Blair
 4. Leroy E. Bryant, II
 5. Christopher Crespo
 6. John C. Dale
 7. George R. Deem
 8. Alfred G. Philippone, Jr.
 9. Matthew R. Gialloreto
 10. Tiffany Y. Harris
 11. David P. Labriola
 12. Terrence S. Lanier
 13. Randy J. Melnick
 14. Matt A. Nelson, Sr.
 15. David c. Polk
 16. James R. Willauer
 17. Nicholas A. Yacabell

Chief Bryson, with a second by Mr. Tharan, made a motion to approve C.1.-17. for constable commission renewals as presented. The motion was carried.

- D. Delaware Technical Community College
1. Joseph E. Berg, Jr.
 2. Philip M. Binns
 3. Jessie Cathey
 4. Richard E. Dennis
 5. Vincent J. DiSabatino
 6. Joseph T. Fitzgerald, III
 7. Brent P. Guyer
 8. Terry E. Henderson
 9. Daniel H. Horsey, Jr.
 10. Kevin M. Lewis
 11. John L. Mitchell, Jr.
 12. Jose L. Pacheco
 13. Keith D. Rowe
 14. John J. Slank
 15. Vonzell J. Starnes
 16. David E. Wishowsky

Chief Bryson, with a second by Lt. Col. Hudson, made a motion to approve D.1.-16. for constable commission renewals as presented. The motion was carried.

- E. Indian River School District
 - 1. Mark S. Givens
 - 2. H. Burton Murray

Chief Bryson, with a second by Mr. Tharan, made a motion to approve E.1.-2. for constable commission renewals as presented. The motion was carried.

- F. Red Clay Consolidated School District
 - 1. Alex J. Nowell, Jr.
 - 2. C. Wayne Leonard

Chief Bryson, with a second by Lt. Col. Hudson, made a motion to approve F.1.-2. for constable commission renewals as presented. The motion was carried.

- G. RI International
 - 1. Keita W. Bowles
 - 2. Julio E. Cardenas
 - 3. Gerald L. Gary, II

Mr. Tharan, with a second by Chief Bryson, made a motion to approve G.1.-3. for constable commission renewals as presented. The motion was carried.

- H. Sussex County Government
 - 1. Richard L. Horner

Chief Bryson, with a second by Mr. Tharan, made a motion to approve H.1. for constable commission renewal as presented. The motion was carried.

- I. University of Delaware Police Department
 - 1. Donna M. Simpson

Lt. Col. Hudson, with a second by Mr. Tharan, made a motion to approve I.1. for constable commission renewal as presented. The motion was carried.

- J. Wilmington University
 - 1. Dennis L. Craghton
 - 2. Edward A. DiSabatino
 - 3. Christopher D. Foraker

Chief Bryson, with a second by Mr. Tharan, made a motion to approve J.1.-3. for constable commission renewals as presented. The motion was carried.

IV. New Entities

A. Colonial School District (Exhibit A)

Mr. Jeffrey Hale is in attendance to answer any questions the Board may have regarding the request for constable positions.

Mr. Durstein, with a second by Chief Bryson, made a motion to approve Colonial School District for constable positions. The motion was carried.

1. Badge (Exhibit B)

Chief Bryson, with a second by Mr. Tharan, made a motion to approve the badge as presented in A.1. The motion was carried.

a. Jeffrey R. Hale

Mr. Durstein, with a second by Mr. Tharan, made a motion to approve A.1.a. for new constable commission. The motion was carried.

B. Delaware Metropolitan Transit Authority (Exhibit C)

Mr. Workman is present today to answer any questions the Board may have regarding his request for constable positions.

Mr. Durstein made a motion to approve Delaware Metropolitan Transit Authority for constable positions. Discussion ensued.

Lt. Col. Hudson spoke about a working group looking at the amendment of the current law, and specifically towards the “for profit” entities in, or wishing to be in the constable business.

Mr. Workman spoke that his entity would be reimbursed from State agencies and, if approved, he would obtain a State Vendor number as required.

Lt. Col. Hudson stated that to transport patients it is not mandatory to be a constable. Mr. Workman replied that it would be a plus for his entity to have that endorsement.

Involuntary transfers cannot be transported without being handcuffed with a law enforcement officer present.

Chief Bryson stated that every time that it has been tried to remove law enforcement out of this business, constables have stepped in to fill that responsibility.

The trend nationally is to go to private transport for patients.

Mr. Tharan has issues regarding the involuntary transfers with dementia, Alzheimer and so forth.

Chief Bryson, seconded the motion to approve Delaware Metropolitan Transit Authority for constable positions. Mr. Durstein and Capt. Smith voted to approve. Lt. Col. Hudson and Mr. Tharan abstained. The motion was carried.

1. Badge (Exhibit D)

Mr. Durstein, with a second by Chief Bryson, made a motion to approve the badge as presented in B.1. The motion was carried.

- a. Robert B. Workman
- b. Barry T. Lee

Chief Bryson, with a second by Mr. Durstein, made a motion to approve A.1.a.-b. for new constable commissions. The motion was carried.

V. New Commissions

A. Capital School District

- 1. Shawn W. Gordon
- 2. Darryl E. Simmons

Mr. Durstein, with a second by Lt. Col. Hudson, made a motion to approve A.1.2. for new constable commissions, with condition that Mr. Simmons provides proof of the Constable Orientation Overview to the Professional Licensing Section. The motion was carried.

B. Indian River School District

- 1. James D. Taylor, Sr.
- 2. Frank L. Wesley

Chief Bryson, with a second by Mr. Tharan, made a motion to approve B.1.-2. for new constable commissions. The motion was carried.

C. Red Clay Consolidated School District

- 1. Robert A. Ragazzo, Jr.

Chief Bryson, with a second by Mr. Tharan, made a motion to approve C.1. for new constable commission. The motion was carried.

D. RI International

- 1. George G. Jester, Jr.

Lt. Col. Hudson, with a second by Chief Bryson, made a motion to approve D.1 for new constable commission. The motion was carried.

- VI. Resignations/Terminations/Issues
 - A. Indian River School District
 - 1. G. Michael Harmon
 - B. RI International
 - 1. Vincent R. Bianco

Ms. Anderson presented VI.A.-B., inclusive, as informational purposes only. No vote necessary.

- VII. Issues/Concerns/FYI/Miscellaneous
 - A. A.I. duPont Hospital for Children
 - 1. Paul A. Chickadel
 - 2. James J DiOrio

Ms. Anderson informed the Board that the Professional Licensing office has received Constable Orientation Overview for Mr. DiOrio and that Mr. Chickadel is registered but has not taken the course yet. This is for informational purposes only. No vote necessary.

- VIII. Instructors
 - A. Rules & Regulations
 - 1. Rule 6.0 Baton, Nightstick, PR24, Chemical Spray, and Handcuffs (Exhibit E)

Ms. Anderson presented Rule 6.0 as the recommended version from the Weapons & Training Committee. This rule will be presented to the PI & PSA and BEA Boards in the next two months for approval. They will be published at the same time for continuity between Boards.

Chief Bryson, with a second by Mr. Tharan, made a motion to approve Rule 6.0 for first publication, as presented. The motion was carried.

- 2. Rule 7.0 Conducted Electrical Weapon (CEW)

Rule 7.0 was tabled by the Weapons & Force Committee so that more research could be done.

- 3. Rule 8.0 Canine (Exhibit F)

Ms. Anderson presented Rule 8.0 as the recommended version from the Weapons & Training Committee.

Mr. Durstein, with a second by Chief Bryson, made a motion to approve Rule 8.0 for first publication, as presented. The motion was carried.

IX. Old Business

A. Professional Licensing

1. Rules & Regulations

a. Rule 1.0 Licensing

Ms. Anderson pointed out that the only amendment to this rule is the last sentence in Subsection 1.4. This amendment is in regards to the MMPI/PAI requirement/submission.

Mr. Durstein, with a second by Chief Bryson, made a motion to approve Rule 1.0, as presented, for first publication. The motion was carried.

b. Rule 9.0 Minimum Training Standards and In-Service Training

Ms. Anderson informed the Board that this rule had previously been approved at the 10/31/17 meeting, however after further review there were additional amendments that needed to be added, specifically 9.2.1 & 9.2.2. regarding admittance to the Constable Academy.

Lt. Col. Hudson, with a second by Mr. Tharan, made a motion to approve Rule 9.0, as amended, for first publication again. The motion was carried.

B. Board Members

The Board Members did not have any old business at this time.

C. Lieutenant Colonel

Lt. Col. Hudson did not have any old business at this time.

X. New Business

A. Professional Licensing

Professional Licensing did not have any new business at this time.

B. Board Members

The Board members did not have any new business at this time.

C. Lieutenant Colonel

With the appointment of Capt. Smith for Capt. O'Sullivan, Lt. Col. Hudson appointed Capt. Smith as the Constable Board representative to the Weapons & Force Committee.

Merry Christmas to everyone and thank-you to Mike Terranova for all he does for the Board and the training, and for Retired Colonel Ellingsworth and Retired Capt. T. Winstead for making the effort to attend all the Board meetings.

XI. Public Comment (At the discretion of the Chair)

There were no comments from the public at this time.

XII. Adjournment

A. Schedule Annual Meeting

1. December 2018 @ 10:00am.

Mr. Durstein, with a second by Mr. Bryson, made a motion to adjourn the meeting at 1100 hours. The motion was carried.